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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 RONALD L. BASKETT,

8 Petitioner,

9 v.

10 KENNETH QUINN,

11 Respondent.

Case No. C07-1020RSL

ORDER GRANTING LEAVE TO  
FILE OVERLENGTH BRIEF AND  
RENOTING MOTION FOR  
CLARIFICATION

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13 This matter comes before the Court on “Petitioner Baskett’s Motion for Leave to  
14 File an Overlength Brief in Support of Petitioner’s Motion Concerning the Certificate of  
15 Appealability Pursuant to Limited Remand.” Dkt. # 80. The motion should have been noted for  
16 consideration on the day it was filed pursuant to Local Civil Rules 7(f)(1) and 7(d)(1), and the  
17 Court will consider it as if properly noted.

18 Because the underlying motion for clarification presents an unusual procedural  
19 issue and requires a full explanation regarding the argument before the Ninth Circuit, the Court  
20 grants leave to file an overlength brief. Petitioner’s twenty-page memorandum will be  
21 considered.<sup>1</sup> Respondents may file a twenty-page response, to which petitioner may reply in ten  
22 pages.

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24 <sup>1</sup> Pursuant to Local Civil Rule 7(b)(1), “[t]he argument in support of the motion shall not be  
25 made in a separate document but shall be submitted as part of the motion itself.” The Court will not,  
therefore, consider the separate “motion” submitted by petitioner.

26 ORDER GRANTING LEAVE TO FILE  
OVERLENGTH BRIEF AND RENOTING  
MOTION FOR CLARIFICATION

1 The Ninth Circuit expects a status report or opening brief from petitioner on or  
2 before April 6, 2009. The underlying motion for clarification seeks non-dispositive relief and  
3 could have been noted on the Court's calendar for March 13, 2009, pursuant to Local Civil Rule  
4 7(d)(3). The later noting date chosen by petition leaves the Court very little time in which to  
5 consider the papers before petitioner has to proceed before the Ninth Circuit. The motion for  
6 clarification will therefore be renoted on the Court's calendar.

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8 For all of the foregoing reasons, petitioner's motion for leave to file overlength  
9 brief (Dkt. # 80) is GRANTED. The Clerk of Court is directed to renote "Petitioner's Motion to  
10 Clarify and Expand the Certificate of Appealability Pursuant to the Ninth Circuit's Grant of a  
11 Limited Remand" (Dkt. # 79) for Friday, March 13, 2009.

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13 Dated this 2nd day of March, 2009.

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15 Robert S. Lasnik  
16 United States District Judge  
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